



WESTFIELD-WASHINGTON
ADVISORY PLAN COMMISSION

September 8, 2015

1508-PUD-15

Exhibit 1

Docket Number: 1508-PUD-15 (Ordinance No. 15-24)

Petitioner: Paula Gartner, EMH&T on behalf of Kroger Limited Partnership

Request: An amendment to add an additional 0.529 acres+/- to the Spring Mill Station NE Quadrant PUD. The amendment includes adding Curbside Pickup as a permitted use, adding associated development standards, and modifying the sign standards.

Current Zoning: Andover North PUD District (Ordinance 06-12)

Current Land Use: Residential / Agricultural

Zoning History: 1405-PUD-06, Rezoning to Spring Mill Station NE Quadrant PUD
1409-DP-28 & 1409-SIT-13, Fuel Station Development Plan
1410-DP-31 & 1410-SIT-14, Grocery Store Expansion Development Plan
1508-DDP-14, Curbside Pickup Detailed Development Plan (Pending)

Exhibits:

1. Staff Report
2. Location Map
3. Concept Plan
4. Amendment Ordinance
5. Character Exhibit
6. Overall Site Plan
7. Signage Plan
8. Neighborhood Meeting Summary

Staff Reviewer: Pam Howard, Associate Planner

PETITION HISTORY

This petition was introduced at the July 2, 2015, City Council meeting. The petition received a public hearing at the August 3, 2015, Advisory Plan Commission (the "APC") meeting.

Due to changes to the proposed amendment, a new public hearing is required and will be held on September 8, 2015.

PROCEDURAL

Public Hearing:

Amendments to a Planned Unit Development District are required to be considered at a public hearing by the APC. A public hearing for this petition was held at the August 3, 2015, APC meeting and a second public hearing is being held at the September 8, 2015, APC meeting. Notice of both public hearings was provided in accordance with Indiana law.

Statutory Considerations:

Indiana Code 36-7-4-603 states that in the consideration of zoning ordinance amendments and zone map changes that reasonable regard shall be paid to:

1. The Comprehensive Plan.
2. Current conditions and the character of current structures and uses.
3. The most desirable use for which the land is adapted.
4. The conservation of property values throughout the jurisdiction.
5. Responsible growth and development.

PROJECT OVERVIEW

Project Location: The Petitioner is requesting an amendment to the Spring Mill Station NE Quadrant PUD (the "PUD Ordinance"), which is located at the northeast corner of 161st Street and Springmill Road (see **Exhibit 2**).

Amendment Request: The Petitioner is requesting an amendment to incorporate additional land, as well as modify the permitted uses, development standards, and sign standards, as further described below.

1. Changes to the Real Estate: The proposed amendment incorporates an additional 0.529 acres+/- directly north of the current store into the PUD District as "Area A.4" (the "Property") (see **Exhibit 2**).
2. Definitions: The proposed amendment defines "Curb Side Pickup Station" as "Dedicated parking spaces with covering canopy, appurtenances and wayfinding/identification signage where merchandise is picked up." The proposed amendments also defines "Anchor Store" as "The existing Kroger building located in Area A.1, as generally depicted in Exhibit B.1 of the PUD Ordinance.
3. Permitted Uses: The proposed amendment permits a Curb Side Pickup Station on Area A.4 the Property. Additionally, the proposed amendment allows the curb side delivery service to be provided using existing parking spaces in Area A.1 until construction of the Canopy is completed, also requiring that the use be discontinued in Area A.1 by January 2, 2016 unless otherwise approved by the Director.
4. Setbacks: The existing PUD Ordinance requires side and rear setbacks of sixty (60) feet when abutting a residential district. The amendment proposes a setback of forty (40) feet along the north property line. Additionally, the amendment proposes the separation between the Curb Side Pickup Station and existing grocery store be at least thirty (30) feet.
5. Parking: The PUD Ordinance defaults to the Zoning Ordinance (UDO). The proposed amendment eliminates the requirement for stacking spaces and a by-pass lane for a Curb Side Pickup Station.
6. Landscaping and Screening: The PUD Ordinance defaults to the Zoning Ordinance (UDO). The proposed amendment incorporates a landscaping exhibit for the Property specific to the Curb Side Pickup Station use, and requires that the landscaping be in substantial compliance with the exhibit. As a result, the UDO standards would not apply to this area of the PUD.

7. Sign Standards: The PUD Ordinance defaults to the Zoning Ordinance (UDO). The proposed amendment allows one hundred (100) square feet of signage for the Curb Side Pickup Station, and five hundred (500) square feet of signage for the Anchor Store. Additionally, the proposed amendment requires that all signs be either reverse channel letter or externally lit with gooseneck light fixtures. The proposed amendment also requires that ground identification signs be architecturally compatible with the building architecture, and incorporates exhibits portraying the signage to be used in the development. The signage portrayed for the Anchor Store does not comply with the lighting requirements listed above. The proposed amendment allow them to install the nonconforming signs, but requires them to be removed by January 2, 2016, or when conforming signs area installed, whichever occurs first.
8. Architectural and Streetscape Design Standards: The proposed amendment incorporates Character Exhibits for the Curb Side Pickup Station to establish the applicable architectural character. As a result, the UDO's architectural standards would not apply to this area of the PUD.

Comprehensive Plan: The area surrounding the intersection of 161st Street and Spring Mill Road was included in the Spring Mill Station Addendum (the "Addendum") to the Comprehensive Plan. The area is envisioned to develop as a "neighborhood hub" with a mix of uses that will generate both auto and pedestrian trips from a close proximity. The northeast corner, where this parcel is located, was used commercially before the Addendum was created. It was included in the Addendum to ensure that any future development of the site be cohesive with the vision of the Addendum.

The petitioner has worked with the Spring Mill Station Task Group to ensure that the proposed development meets the vision of the Addendum. This vision includes the style of architecture, layout of the site, buffering, and connectivity to surrounding developments.

MODIFICATIONS SINCE THE FIRST PUBLIC HEARING

Since the first public hearing, changes have been proposed that require the petition to be heard again. Those changes and their reasoning are outlined in the table below.

| Change | Reason |
|--|--|
| Allowing for increased sign area for Anchor Store to 500sf | Kroger is consider an outlot per the UDO, sign area determined by street frontage (204' on 161 st) |
| Allow the currently pending sign permits to be approved, requiring the noncompliant signs to be replaced by January 2, 2016 | Signs already constructed, new signs will take ~90 days once ordered. Grand Opening is in Sept. |
| Temporarily allow the Curbside Pickup use in the existing Grocery Store parking lot, until the Canopy is constructed, but no later than 180 days after the adoption of the ordinance, unless otherwise approved by the Director. | Would like to begin offering the service at the grand opening |

Additionally, some changes were requested by the APC at the first public hearing. In response to those requests, the petitioner has modified the sign standards to require that all signs be either reverse channel letter or externally lit with gooseneck light fixtures. Sign exhibits have also been incorporated into the ordinance. Additionally, the petitioner will install directional striping to the area between the pickup canopy and building to discourage vehicles from entering the Curb Side Pickup Station from the west (front of the building) instead of from the east (rear of the building).

PUBLIC COMMENTS

One written comment was received prior to the public hearing. Comments made during the hearing can be found in the minutes of the June 1st meeting. Any additional written comments that are received prior to Monday's meeting will be added to the existing Public Comments exhibit uploaded to the Plan Commission's September 8th agenda.

STAFF RECOMMENDATION

The Petitioner has satisfactorily addressed the Department's comments and incorporated the Department's recommendations into the proposed ordinance and Concept plan. If the Plan Commission is otherwise satisfied with the revisions to the proposed amendment, then the Department recommends forwarding this petition to the City Council with a favorable recommendation.

If any APC member has questions prior to the meeting, then please contact Pam Howard at 317-531-3751 or phoward@westfield.in.gov.